

**CRIMINAL DOCKET  
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
<p><b>THE UNITED STATES</b></p> <p style="text-align: center;"><i>vs.</i></p> <p><b>DONALD LEE BLAGG</b> (37)</p>  <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> Pete King surety 502 S. Cheyenne Tulsa </div> <div style="width: 45%;"> Blagg (def.) 2403 Galaxy Road Sapulpa Tulsa </div> </div>	<p><i>For U. S.:</i> <b>Nathan G. Graham</b></p>   <p style="text-align: center;">62-1-423-3603</p> <p><i>For Defendant:</i> Willard Gotcher 122½ E. Carl Ablert Pkwy McAlester, Okla. and <del>Tom Hanlon</del> 1635 E. 15th Tulsa, Okla.</p>

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 1-31-73	Clerk	6-1-73	Blagg	2,500 00	(Full Pymt)
J.S. 3 mailed 6-1-73	Marshal	8-29-73	Shoffner		2,500.00
Violation Stolen Property	Docket fee				
Title 18					
Sec. 2315					
1 Count					

DATE	PROCEEDINGS
1-23-73	Indictment, filed in open court. hm
1-23-73	Record vote of the grand jury, filed in open court. hm
1-23-73	Warrant issued at request of U.S. Atty. Bail set at \$5,000 cash or surety. hm
2-7-73	Appearance Bond and Order specifying methods and conditions of release, filed. (MLB-U.S.Mag.)v
2-9-73	It is ordered that the deft. Donald Lee Blagg appear with retained counsel, Willard Gotcher and Tom Hanlon, for Arraignment on February 13, 1973 at 10:00 a.m. (AEB-J) js <i>Police mailed to all</i>
2-9-73	Warrant for arrest, ret. & filed: deft. arrested 1-29-73. g
2-13-73	Def. present in person and rep. by Willard Gotcher and Tom Hanlon, retained counsel. The govt rep. by N. Graham. Def. Acknowledges receipt of Indictment; arraigned and enters plea of NOT GUILTY and <del>XXXXXXXXXXXX</del> Jury trial passed to Mon. April 16, 1973 at 9:30am. Def. to stand on present bond; continuing conditions to travel to Springfield, Mo. for business reason. (AEB-J)h

DATE	PROCEEDINGS
2-23-73	Motion to disclose inducements, promises and payments to prospective government witnesses filed. (Memorandum in support attached.) h
2-23-73	Motion of defendant, Donald Lee Blagg, to inspect all evidence favorable to him filed. (Memorandum in support attached)h
2-23-73	Motion of defendant, Donald Lee Blagg, for production of records of Grand Jury vote and voting procedures and to dismiss indictment filed. (Memorandum in support attached.)h
2-23-73	Motion for Bill of Particulars filed. (Memorandum in support attached.)h
2-23-73	Motion to dismiss the Indictment filed. (Brief in support attached)h
2-23-73	Motion to suppress evidence filed. (Memorandum in support attached)h
2-23-73	Motion for transcript of Grand Jury Testimony connected with this Indictment filed. (Memorandum in support attached)h
3-2-73	Application for extension of time to respond to defendant's pretrial motions, filed. order to Judge. ds
3-5-73	Order Allowing Extension of Time until 3-12-73 to Respond to Deft's Pretrial Motions, filed. (AEB-J)jj <i>copies mailed</i>
3-13-73	Response to defendant's pretrial motions, filed. ds
3-21-73	Case called for Hearing on Deft.'s Motions. Deft. present and represented. Pltf. rep. by B. Baker. Deft.'s motion to suppress was Overruled, with allowance of renewal granted Deft. Deft.'s Motion for Production of Records etc., is declared Moot by Court. Deft.'s Motion to Dismiss is Overruled by Court. Motions of both parties to exchange necessary evidence before trial was sustained by Court. If Pltf. gains knowledge as to the party who stole the heavy equipment, the information should be given the Court for proper handling. Pltf. is to prepare the necessary order. (AEB-J)v
3-29-73	Return on subpoena to testify, filed. Served Raleigh Peyton at Tulsa, Oklahoma, on 3-28-73. (8.28) ds
3-29-73	Return on subpoena duces tecum filed. Served Joan McKenzie on 3-27-73 at Sapulpa, Oklahoma. (\$5.60) ds
4-5-73	Ruling on deft's pre-trial motions, filed, ordering that motion to disclose inducements, promises, and payments to prospective govt. witnesses is denied; motion to inspect evidence favorable to deft. partly agreed to by govt. & rest denied by Court; motion to dismiss and motion for production of records of grand jury vote and procedure and to dismiss indictment (motions to dismiss denied - grand jury vote granted & disclosure of grand jury voting procedures moot; motion for bill of particulars agreed to except for No. 8, & govt. to reveal to Ct. information acquired on it before trial if possible; motion for transcript of grand jury testimony is denied; motion to suppress overruled. (AEB-J)hm (copies mailed)
4-5-73	Return on Subpoena to Produce Document or Object, filed. Executed by serving George Don Shoffner in Missouri on 3-28-73 with fees of \$3.00. v cont -

DATE	PROCEEDINGS
4-5-73	Returns Cont. Return on Subpoena to Testify, filed. Executed by Serving Gary Shoffner in Missouri, on 3-28-73, with fees of \$3.00. Return on Subpoena to Testify, filed. Executed by serving Dick Hailey in Missouri, on 3-28-73 with fees of \$8.04. v
4-16-73	Case tried to a jury on 4-16-73, 4-17-73 and 4-18-73. Defendant's motion for judgment of acquittal denied. Jury returns with verdict on 4-17-73 finding the defendant guilty. Verdict accepted, read and filed in open court. The defendant is adjudged GUILTY as charged, and sentence is passed to Tues, May 1, 1973 at 10:00 am. Bond of the defendant to continue.(AEB-J)h
4-18-73	Exhibits filed.h
4-18-73	Subpoena, ret. & filed: served David Young 4-13-73. (USM \$5.60)g
4-25-73	Motion of def. for judgment of acquittal and for new trial, with brief in support thereof, filed. rm <i>copy to Dene</i>
4-27-73	Return on Subpoena to Testify, filed. Executed by serving Don Eskew in Tulsa, Okla. on 4-17-73. (USM \$2.00) jj
5-1-73	Case stricken from sentencing on this date, at request of defendant, to be reset (AEB-J)h
5-1-73	Case set for sentencing for 5/8/73 at 10:00 a.m. (AEB-J)rm
5-4-73	Response to Dft.'s Motion for Judgment of Acquittal and Motion for New Trial, filed. v <i>To Dene.</i>
5-8-73	Def. present in person and rep. by Willard Gotcher, ret. counsel. The govt rep. by Ben Baker. Def's motion for judgment of acquittal and for new trial overruled by the court.
Judgment and Sentence- Donald Lee Blagg (38)	
Ct. 1- Imposition of sentence suspended and the defendant placed on probation for a period of Three (3) years from this date, on condition that defendant pay back to Mr. George Don Shoffner the amt of \$2500.00 in damages, at the rate of \$100 per month, within a 2 yr. period. Bond exonerated. Def. advised of the right to appeal.(AEB-J)h	
5-8-73	Order of J&C filed & entered. Two c.c. to Prob. Office. h

DATE	PROCEEDINGS



